

REMARKS

Claims 1 and 10 currently remain in the application. Claims 12-17 remain withdrawn as being addressed to a non-elected subject matter. Claims 2-9 and 11 have been canceled. Claim 1 is herein amended.

Claims 1 and 10 were rejected under 35 U.S.C. 103 over Kerkar in view of Ohta, further in view of Berke and still further in view of Kloetzer. In Paragraph 5 of the Official Letter, the Examiner reminded applicant that the first, second and third processes are written in the form of a Markush group (claim 1, lines 5-7). Correctness of this statement, however, is debatable, depending upon how the Examiner interpreted Markush group. The Examiner is therefore requested to review these three lines of claim 1 as follows, although applicant is amending this portion of claim 1 in order to expedite the prosecution and in order to make this portion of claim 1 easier to interpret.

Lines 5-7 of claim 1 read as follows (prior to the current amendment):

said Component A is one or more selected from the group consisting of graft copolymers obtained by a first process and a second process and salts of graft copolymers obtained further by a third process;

Indeed, Component A is described by using a Markush language, the Markush group having two elements which are: (Element 1) graft copolymers obtained by a first process and a second process and (Element 2) salts of graft copolymers obtained further by a third process. In other words, Element 1 of this Markush group consists of grafts copolymers of a certain kind and Element 2 of this Markush group consists of salts of another certain kind. This is to say that it is NOT correct to conclude that the elements of this Markush group are the first, second and/or third process defined later in claim 1.

The Examiner is requested to agree that the graft copolymers of Element 1 of this Markush group are characterized as and must be "obtained by a first process and a second process" according to the language of claim 1. In other words, BOTH the first process and the second process must be employed for obtaining these graft copolymers, there being no Markush language used to define Element 1. This is a very important limitation, characterizing this invention. Although lines 5-7 of claim 1 includes a Markush language, as far as the graft copolymers of Element 1 are concerned, BOTH the first and second processes

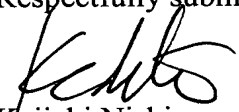
must be carried out for obtaining them. The Examiner is requested to keep this point clearly in mind.

Similarly, the salts in Element 2 of this Markush group were characterized (prior to the change effected in amendment herein) as being "obtained further by a third process". The meaning of the word "further" therein could have been confusing and this is why applicant is herein amending this characterization so as to now read as "obtained by said first process, said second process and a third process." From the context, it should be clear that this amendment is merely for making the sentence easier to understand, without introducing any new matter, and hence is enterable. The limitation having been thus amended and correctly interpreted, it is now clear that the salts in Element 2 of this Markush group must be obtained by carrying out ALL three of the mentioned processes, not just any one or two of them, there being again no Markush language used in defining Element 2.

In short, the Markush language in lines 5-7 of claim 1 allows one to select from the graft copolymers of Element 1 and the salts of Element 2. A selection as to Element 1 and/or Element 2 may be freely made but the named two processes must BOTH be carried out for Element 1 and the named three processes must ALL be carried out for Element 2. In other words, the Markush groups relate to the graft copolymers and the salts, not to the first, second and third processes.

The Markush language of claim 1 being thus correctly interpreted, it should be clear that the cited references cannot predicate the Examiner's rejection. In summary, it is believed that the application has been in condition for allowance and is now more clearly so. A notice of allowance or an advisory action at an early date is earnestly solicited, especially in view of the sufficiently early mailing date of this Amendment.

Respectfully submitted,


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